

Docket No.: 87289.2200  
Customer No. 30734



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PATENT/OFFICIAL

*AF*  
*2856*  
*[Signature]*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Brian W. ADKINS et al.

Serial No.: 09/930,966

Filed: August 17, 2001

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:  
: Group Art Unit: 2856  
:  
: Examiner: Andre K. Jackson

For: WATER JACKET MECHANICAL FLUID LEVEL MONITORING  
DEVICE FOR CELL-STRUCTURE LABORATORY INCUBATORS

**NOTICE OF APPEAL**

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant appeals to the Board of Patent Appeals and Interferences from the Official Action dated December 21, 2003 rejecting claims 2-9, 12-18 and 20-26.

The items checked below are appropriate:

1. ☒ The fee for filing this Notice of Appeal is attached.

☒ other than small entity Fee \$330.00  
☐ small entity Fee \$165.00

2. ☒ Applicant petitions for a three-month extension of time to reply to the rejection. The appropriate fee is attached.

<input type="checkbox"/> other than small entity		
<input type="checkbox"/> \$ 110.00	<input type="checkbox"/> \$420.00	<input checked="" type="checkbox"/> \$950.00
<input type="checkbox"/> \$1,480.00	<input type="checkbox"/> \$2,010.00	
<input type="checkbox"/> small entity		
<input type="checkbox"/> \$ 55.00	<input type="checkbox"/> \$210.00	<input type="checkbox"/> \$475.00
<input type="checkbox"/> \$740.00	<input type="checkbox"/> \$1,005.00	

3. ☒ A check in the amount of \$1,280.00 is attached.

01/29/2004 CNGUYEN 00000089 09930966

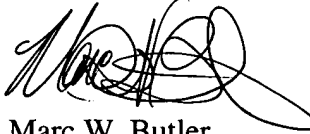
01 FC:1401  
02 FC:1253

330.00 OP  
950.00 OP

4. ☐ Please charge the fee(s) to Deposit Account No. 50-2036. A duplicate copy of this Notice is attached.
5. ☒ The Commissioner is authorized to charge any deficiency in any patent application processing fees pursuant to 37 CFR §1.17, including extension of time fees pursuant to 37 CFR §1.17(a)-(d), associated with this communication and to credit any excess payment to Deposit Account No. 50-2036. A duplicate copy of this Notice is attached.

Respectfully submitted,

BAKER AND HOSTETLER LLP



Marc W. Butler

Registration No. 50,219

**Date: January 28, 2004**

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